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and reconciliation in postcolonial settler
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INTRODUCTION: RECOGNITION, REDISTRIBUTION AND RECONCILIATION IN POSTCOLONIAL SETTLER NATION-STATES

When issues of justice and identity arise in postcolonial settler nation-states, three major questions stand out. First, should there be recognition of special rights for indigenous minorities in postcolonial nation-states? Second, how may resources be redistributed to redress longstanding indigenous grievances about the history of colonial dispossession? Finally, how may reconciliation between the immigrant majority of settlers and their descendants take place against a backdrop of multiculturalism? This special issue addresses each of these questions, though perhaps not all in equal measure. All contributors implicitly or explicitly answer the first question in the affirmative, even if answers to the supplementary question of how to implement such recognition need to be worked through. Some of the contributors directly focus on the second question, but even those who do not could argue that recognition is a resource unequally distributed in postcolonial nation-states. The third question, which follows from the others, is perhaps the key one for all of the contributors. We therefore begin this introduction with a reflection on the issue of multiculturalism.

The concept of multiculturalism has dominated debates over justice and identity since a Canadian Royal Commission coined it in 1965 (Bennett 1998:2). It has spread across the globe and is now a key concept in debates about the politics of cultural difference and the rights of minorities within liberal democratic nation-states. The main reason behind the increasing popularity of multiculturalism as a concept, both in political and academic arenas, is no doubt intertwined with the globalisation of the world economy, and its epiphenomenon of international migration and the resulting crisis in the definition of “nation” and “nation-state”. The downside of the rise of multiculturalism is the increasing ambiguity of its meaning, considered either as a privilege or a perfidy, depending on the context in which it is rhetorically deployed. In Canada, for example, it is entrenched in the constitution, but its interpretation remains continuously contested, while in the United States multiculturalism is typically considered a political ideology expressed by “racial” minorities seeking social and economic advancement. By the same token, in Australia multiculturalism has played an essential role in the nationalist rhetoric espoused by government since it liberalised its immigration policy in the 1970s, while in New Zealand the concept of multiculturalism has been pronounced unjust by most

of the country's indigenous minority, the Māori people, because, from their perspective, biculturalism logically and chronologically precedes the stage of multiculturalism. Māori opinion leaders generally contest multiculturalism on the grounds that it will negate the status of the Māori people as indigenous people and consequently reduce them to a position of one among many minorities (Pearson 1995:18-22).

The ambivalence over multiculturalism has been mirrored in political theory, where the term has been received with scepticism from the outset. The focus on "culture" in particular has been interpreted as eclipsing more fundamental categories of social and political analysis, such as class, gender and ethnicity. For this reason, multiculturalism, as it is advocated by the governments of some nation-states, e.g., Australia, may be regarded as a token policy which avoids the real issues of ethnic and class inequalities by focusing on cultural identities and cultural diversity. The entrenchment of difference between various social groupings in the multicultural polity of modern nation-states implies that egalitarianism is an issue of cultural representation rather than of the structural resolution of political and economic inequities. This is why in the social sciences multiculturalism is generally considered a postcolonial expression of liberal pluralism (Eller 1997, Turner 1993). The limits of this policy have been particularly evident in countries with a significant indigenous minority within their boundaries, such as the United States, Canada, Australia and New Zealand.

The point was first made by the American thinker Ronald Dworkin (1977) who cogently argued that the so-called "procedural" commitment of a liberal society to equality of treatment for all citizens is incompatible with a "substantive" commitment to any particular conception of the "good life", because in a democratic polity the latter would be likely to reflect majority views at the expense of dissident minorities. Following Dworkin's view, the Canadian philosopher Charles Taylor (1992) argued that while liberalism may seek an equalisation of cultures within the nation-state, indigenous minorities demand not only equality but also the recognition of difference, including assertions of self-determination and "sovereignty". Indeed, it is one of the most challenging issues in contemporary social theory to find an appropriate expression for this dilemma and the way to establish justice for indigenous peoples in postcolonial states.

The essays that follow¹ all address this dilemma and discuss various strategies to redress longstanding grievances of Aborigines in Australia and Māori in New Zealand. As such, they contribute to the discussion of issues that were also the focus of an important recent volume on this topic, entitled *Political Theory and the Rights of Indigenous Peoples* (Iverson, Patton and

Sanders 2000). In their introduction, the editors of that volume attempted to break new conceptual ground by developing new modes of cultural and political belonging for indigenous minorities within liberal political theory. The assumption underlying this aim was that liberalism is implied in the justification of colonialism, which makes it necessary to examine the extent to which liberalism could also provide a way for the contemporary aspirations of indigenous peoples to seek justice.

The concept of justice, in this context, is not simply to be understood in legal terms. It refers more broadly to the contemporary politics of difference in postcolonial nation-states, especially those in which descendants of European settlers have over the years come to constitute a majority of "outsiders" (Wilson and Yeatman 1995). The democratic polity that they have established is invariably founded on the liberal notion that sovereignty is indivisible and cannot be shared, and it is precisely this view that is being challenged by the claims of indigenous minorities for justice. For a long time, this debate on the recognition of indigenous difference and indigenous claims to self-government was trapped within the seemingly irreconcilable dichotomy between universalism and particularism, between collective rights and individual rights (e.g., Messer 1993, Nagengast and Turner 1997, Thompson 1997, Turner 1997, Wilson and Hunt 2000). Following Ivison, Patton and Sanders (2000:21), however, the articles collected in this issue must be situated within the current review of the age-old liberal oppositions between universalism and particularism as vantage points on a political spectrum within which new forms of coexistence among different peoples, indigenous, exogenous and immigrant, must be negotiated.

All contributions to this issue are based on empirical research within the two major settler colonies in the South Pacific, Australia and New Zealand. These countries share the fact that they may be considered colonial and postcolonial at the same time. They maintain their indigenous populations in relationships of dependency on the state, which may be characterised as "colonial", while at the same time they are both former British colonies, but gained independence many decades ago (cf. Docker and Fischer 2000:5). In addition, they are both settler and immigrant societies, accommodating both the descendants of colonial settlers, mainly from Britain, and immigrant populations from many different regions in the world, especially southern Europe and Asia. In recent decades, immigration also transformed both states into nations with multicultural policies, which in turn reinforced the peripheral status of the countries' indigenous minorities, especially in Australia. Their indigenous populations' demands for justice bring to light the ambiguous character of both countries. They share a political heritage

of a Westminster-style parliamentary democracy, signifying their roots in the Old World, and a modernist model of the nation-state. They are, however, also distinctly part of the globalised world system, signifying a rather postmodern model of nationhood, characterised by fluid boundaries, internal diversity, fragmentation and plurality.

The emergence of Australia and New Zealand as postmodern, multicultural and postcolonial nation-states in the South Pacific has given rise to a number of burning issues that require resolution. But these issues are so complex that instant solutions are not available. First, immigrant groups are now presenting themselves in the multicultural arena alongside the countries' indigenous populations, putting forward competing claims for recognition. In a project of state justice, their demands surely need to be acknowledged, yet they need to be weighed and balanced against the interests of Aborigines and Māori, and at the same time the interests of the majority group of settlers' descendants cannot be neglected either. Second, the postmodern dilemma of a multicultural project is compounded by the universalist principle that all citizens should be treated equally, regardless of colour, ethnicity, gender or religion, which is entrenched in the constitutional arrangements of the liberal-democratic nation-states of Australia and New Zealand. This very principle is nowadays being reviewed and renegotiated as a result of increasing demands for the recognition of difference from both indigenous and immigrant minority groups. Third, in postcolonial countries such as Australia and New Zealand such postmodern and multicultural issues cannot be considered in isolation from the colonial history and the continuing legacy of dispossession, disenfranchisement, discrimination and oppression, all prompting the inevitability of reconciliation and redistribution to redress historical injustices, especially as they relate to indigenous minorities.

Over the past decade, these issues have been the subject of much reflection and debate. It is not surprising, perhaps, that Canadian philosophers, notably Charles Taylor (1992, 1995) and Will Kymlicka (1995, 2000, 2001), have made some of the most influential contributions to these debates. Canada shares many characteristics with Australia and New Zealand, in the sense that it is also a postmodern, multicultural and postcolonial settler nation-state. Moreover, it shares with New Zealand an official policy of "biculturalism", albeit one that establishes a relationship between the descendants of two different groups of settlers (British and French). The indigenous minorities in Canada, however, are culturally and historically different from Australian Aborigines and New Zealand Māori, but the scope of Taylor's and Kymlicka's work reaches far beyond their country of

citizenship. Taylor (1992:26), for example, reminds us that the struggle for indigenous recognition has been linked to the concept of identity only since the emergence of modern society in the West. He clarifies this argument by contrasting modern identity with identity in pre-modern circumstances, when it was largely unproblematic because a person's identity was intricately interwoven with her or his social position in the hierarchical structure of traditional societies. In pre-modern European society, for example, people had recognition for the status they held. Their sense of social self was expressed by their rank in society and for that reason, their personal identity was not thematised.

The collapse of the *ancien régime*, however, resulted not only in a new type of society, but also in a new type of identity. Taylor traces the intellectual origin of the modern concept of identity to the philosopher Georg Friedrich Hegel and his dialectical model of identity through a process of mutual recognition. According to Hegel, recognition indicates a reciprocal relation between individual subjects, who regard each other as both equal and separate. This relation, in turn, is constitutive of individual subjectivity: one becomes an individual subject only by virtue of recognising and by being recognised by another subject. Recognition from others is therefore essential to the development of a sense of self. To be denied recognition or to be misrecognised is to suffer both a distortion of one's relation to one's self and an injury to one's identity:

our identity is partly shaped by recognition or its absence, often by the *mis*recognition of others, and so a person or group of people can suffer real damage, real distortion, if the people or society around them mirror back to them a confining or demeaning or contemptible picture of themselves (Taylor 1992:25).

Taylor (1992:38) situates his reflections on the politics of recognition in multicultural nation-states against the historical background of the development of the modern notion of identity, since in his view this notion also explains the rise of the politics of difference. Contemporary claims to difference follow from the connection between the modern conceptions of identity and the notion of equal dignity. This connection can be traced to Jean-Jacques Rousseau, in whose view respect in modern society replaced the focus on honour and shame in traditional hierarchies. According to Taylor, however, the valuation of equal dignity in modern society triggers a quest for recognition of distinct identities. The universalist import of the mission of modern individuals to be recognised for their supposedly unique identity, therefore, draws at the same time attention to a tension inherent

in the discourse of modern identity. While the principle of equal respect requires that people are treated the same regardless of differences, the pursuit of dignity simultaneously fosters a demand for particularity.

The disharmony between these two aspects of modern identity parallels the imbalance between individual rights and collective rights and goals in liberal theory. In liberal society, individual rights always take precedence over collective goals. This position is rooted in the philosophy of Immanuel Kant, who understood human dignity as founded mainly in the autonomy of individuals. As a consequence, the demand for equal dignity has become enshrined in the liberal discourse of human rights that, paradoxically, renders the demand not amenable to difference, because the same discourse insists on a uniform interpretation of these rights. For that reason, this discourse considers a society pursuing collective goals by definition as violating the rights of the individual to self-expression and self-determination.

The incompatibility of individual rights with their universal application and the intolerance of collective goals in liberal discourse have become particularly problematic within contemporary, increasingly multicultural, societies. Large numbers of people who are citizens of liberal societies, either as descendants of invading settler colonists or through migration, are also demanding recognition as cultural groupings, sometimes even alongside indigenous populations. This development calls into question the philosophical emphasis on the individual and her or his rights. The challenge is to respond to requests for recognition as separate groups without compromising the basic tenets of Western liberalism. The value of equal dignity may have contributed to the emancipation of Western individuals, but it must not follow that Western judgements of worth contribute to the homogenisation of everyone who does not fit within this framework. The politics of recognition must not “end up making everyone the same” (Taylor 1992:71; see Morton in this issue).

Although Taylor’s analysis of the politics of multiculturalism in terms of a politics of recognition was very influential in the 1990s, in recent years his equation of the demand for recognition with identity politics has been criticised. Nancy Fraser (2000), for example, argued that Taylor’s focus on identity encourages, first, the reification of group identities and, second, the displacement of the need for redistribution. Fraser (2000:112-13) argues that the struggle for recognition by cultural minorities across the globe cannot be considered in isolation from increasing transnational migration, interaction and communication. These global processes lead to creolising, hybridising and pluralising cultural forms all over the world, but the response towards them does not usually lead to greater understanding.

Rather, it fosters the reification and essentialisation of group identities. Within multicultural settings, the requirement to develop and show a so-called authentic identity for groups and group members puts moral pressure on individual members to conform to a given group culture. The overall effect is to impose a single, simplified group identity that denies the complexity of people's lives and the multiplicity of their various affiliations and identifications. Ironically, therefore, the focus on identity serves as a vehicle for misrecognition, since the reification of group identity eclipses individual variation and also obscures the struggle within cultural groupings for authority and control of representation.

In addition, Fraser (2000:110-12) contends that the discourse of identity downplays the call for redistribution of power and resources at a time when economic globalisation is radically exacerbating economic inequalities. Also, the struggle for recognition as represented by Taylor does not effectively supplement the need for redistribution, but marginalises it instead. Fraser distinguishes two variations in the displacement of redistribution. Misrecognition is either conceived of as a problem of cultural deprivation, locating the roots of injustice in demeaning representations and not seeing these as politically or economically grounded. Or when cultural injustice is linked to economic inequality, mal-distribution is dismissed as a secondary effect of misrecognition or an expression of cultural hierarchies.

To overcome the shortcomings of Taylor's position on the politics of recognition, it is necessary to combine the cultural politics of difference with the social and economic politics of equality (Fraser 1995). This follows from the two-dimensional predicament of minorities in multicultural nations. Minorities face the consequences of socio-economic injustice, rooted in the political and economic structure of society. They also face cultural or symbolic injustices, rooted in social and cultural patterns of representation, interpretation and communication. As a corollary, bivalent groups who are affected by both forms of injustice, such as indigenous minorities in postcolonial nation-states, submit claims both for redistribution, aimed at remedying economic injustice, and claims for recognition, aimed at remedying cultural injustice.

The paradox of these mutually reinforcing claims is, however, that the politics of redistribution and the politics of recognition appear to have mutually contradictory aims. After all, redistribution claims generally call for an end to economic arrangements that perpetuate inequality between groups, while recognition claims often take the form of calling attention to the cultural specificity of the group concerned. Needless to say, this dilemma of struggling against the economic discrimination of indigenous minorities, while at the same time valorising indigenous cultures and

indigenous knowledge systems, parallels the dilemma that appeared to be part of liberalism. The principle of equal respect in liberal theory requires people be treated equally regardless of cultural differences, which paradoxically makes it necessary to recognise and even foster cultural particularities in order to avoid the possibility that they may remain unacknowledged. In sum, then, the solution proposed by Fraser to the double-bind of liberal theory does not resolve the contradictory implications of the dilemma between sameness and difference, between redistribution and recognition.

Nancy Fraser (1995, 2000) has made several attempts to tackle this challenging dilemma facing contemporary multicultural nations, the dilemma that redistributive remedies for political and economic injustice invariably collapse distinctions among different groups within nation-states, while recognition remedies against cultural and value related injustices simultaneously intensify group differentiation. One of her proposals is to integrate recognition claims and redistribution claims with a minimum of mutual interference. This seems, however, to be too much the product of a methodological exercise in her study (Fraser 1995:82-86). Another proposal is to treat recognition as related to the social status of individual members of minority groups, but this fails to address their demand for collective rights (Fraser 2000:113-20). A further problem with Fraser's narrow political and economic approach is that, over the past two decades or so, the discourse of indigenous peoples within multicultural nation-states is increasingly "culturalised" *as well as* "judicialised" (see e.g., Sharp 1997:304). The complexity of indigenous peoples' predicament is that their dispossession in colonial history not only meant that they lost control and use of their land, but it also deprived them of political sovereignty. Furthermore, it has contributed to their dislocation and loss of cultural connections, integrity and language, while the secondary effects of their dispossession may be summed up by poverty, disenfranchisement and subjection. By implication, the question of a just response to indigenous peoples' demand for justice ought not to focus exclusively on the distribution of property or on the recognition of the value of their culture and way of life, but it should also focus on the legitimacy of the state's sovereignty, on the recognition of pre-existing nations with their own system of relations to land and other resources. Likewise, an adequate response towards the complexity of these problems and a just solution to the deprived status of indigenous minorities requires negotiations that enable shared sovereignty or a co-existence of indigenous sovereignties and the sovereignty of the multicultural nation-state (cf. Dodds 1998).

One of the most sophisticated contributions to resolving the classic dilemma of “unity in diversity and diversity in unity” in the context of relationships between ethnic minorities, particularly indigenous minorities, and liberal-democratic, multicultural nation-states is the work of the Canadian philosopher Will Kymlicka (1995, 2000, 2001). Kymlicka’s point of departure is that minority rights cannot be subsumed under the category of human rights. Therefore, group-specific rights are necessary to accommodate structural differences in cultural orientation and economic status between dominant majorities and subordinate minorities. He seeks a solution for the dilemma of liberalism in a combination of universal rights for individuals, irrespective of their group affiliation, and certain group-differentiated rights for ethnic minorities. He recognises that the Nazis and other apologists of racial segregation have abused the entrenchment of a “special status” for minorities. This is one reason why, he argues, a liberal theory of minority rights must not only combine minority rights with human rights, but also limit minority rights by the principles of individual liberty, democracy and social justice (Kymlicka 1995:6).

Kymlicka (1995:107-30) considers three types of arguments to substantiate his view that indigenous rights to self-determination are consistent with and even required by liberal justice. They concern equality, the role of historical agreements and the value of cultural diversity. The first argument is a critique of the position that individual human rights already allow for the accommodation of differences and that genuine equality requires equal rights for each individual regardless of ethnic background. He defends the contention that group-specific rights are necessary to accommodate differences and rather provocatively states that “the accommodation of differences is the essence of true equality” (Kymlicka 1995:108). His argument here is that indigenous minorities face a loss of culture that they cannot reasonably be asked to accept (see also Kirsch 2001). He also refers to liberal theories of justice, as developed by Dworkin (1977) for example, which pointed out that the protection of indigenous minorities is not unfair, but indeed necessary to redress the structural inequities that have resulted from the history of colonial settlement. As a consequence, the group-differentiated right to self-determination or self-government is necessary to compensate for unequal circumstances that put indigenous minorities at a systemic disadvantage in the multicultural arena. Genuine equality between different groupings in the nation-state does not necessarily imply identical treatment. Instead, a special treatment is necessary in order to address historical grievances and to accommodate different needs. Differential treatment of indigenous minorities is especially important in the

political domain. What are the relevant political units within a multicultural nation-state? What level of government should make which decision for whom? Kymlicka (1995:113) cogently argues that the delineation of political boundaries, the division of powers and the official recognition of indigenous languages are particularly significant in this respect. In his view, there can be no equal standing for indigenous peoples until they are acknowledged as equal sovereigns by means of a postcolonial constitutional arrangement of these three aspects.

Kymlicka's second argument supporting group-differentiated rights for indigenous minorities is that these rights are a logical and natural extension of historical agreements, such as the Treaty of Waitangi in New Zealand or the famous ruling of the Australian High Court in the Mabo case. This ruling rejected the basis for the colonisation of Australia as *terra nullius*, or no man's land, and as a result urged the dominant majority of settlers and immigrants to negotiate a federation with Aborigines. The difference between the colonisation of New Zealand and of Australia highlights that the incorporation of indigenous minorities in settler colonies invariably gives rise to group-differentiated rights (Kymlicka 1995:117). If incorporation occurred through a treaty, such as in New Zealand, certain rights are spelled out in the treaty. If incorporation was involuntary, such as in Australia, indigenous minorities have a claim to self-government under international law that makes it necessary for the settler majority to renegotiate the nation-state into a voluntary federation. This second historical argument is different from the first argument for equality. The question here is not how the state should treat its minorities, but the terms under which two peoples decide to shape their partnership. The problem with the historical argument, however, is that it is often difficult to interpret. By the same token, it inevitably needs to be updated and revised. For this reason, Kymlicka argues that the historical agreement must be grounded in a broader theory of justice that combines the historical argument with the equality argument.

Kymlicka's third and final argument for legitimising special rights for indigenous minorities builds on the value of cultural diversity within contemporary nation-states. This position differs from the previous two arguments by focusing not on the interests and needs of one or more groups, but on the intrinsic value of a country encompassing diverse lifestyles. Rather than appealing to the settler majority's obligations towards the indigenous minority, as the first two arguments do, this argument appeals to the settler majority's own interests and benefits. The value of cultural diversity is that it enriches a society and, even more importantly, that it creates more options for each individual member of society. It needs to be

acknowledged, however, that cultural diversity does not expand the range of options for individual members of the majority in the same way as it does for members of the indigenous minority. Because of this, the benefits of cultural diversity for national majorities are at best desirable by-products of indigenous rights, rather than their primary justification. In this sense, the diversity argument supplements, but does not replace, the justice argument based on equality or historical agreement. Nevertheless, cultural diversity is especially important for non-indigenous, immigrant minorities in former settler colonies, as Božić-Vrbančić shows in her contribution to this issue.

The contributions to this special issue can be grouped around the three themes of equality, historical agreements and cultural diversity as they are distinguished by Kymlicka's proposition to recognise indigenous rights within multicultural societies. The opening paper by Ann Sullivan, a political scientist of Māori descent, ties in with Kymlicka's argument that the notion of equality in liberal-democratic theory does not preclude political autonomy of indigenous groups. Indeed, it is his view that political autonomy is not only necessary to guarantee justice to indigenous minorities, but also to ensure their survival as distinct peoples. Sullivan assesses the arguments for separate parliamentary representation of Māori, introduced as early as 1867, on the basis of Article 3 of the Treaty of Waitangi that guaranteed Māori rights of equal citizenship. The special seats for Māori remain a unique feature of the New Zealand parliamentary system. Although this form of franchise had little impact on Māori welfare for the next six decades, during the depression in the 1930s Māori succeeded in using their parliamentary representation to secure collective benefits. Nevertheless, it did not provide them with access to genuine political influence until the introduction of a Multi-Member Proportional voting system in 1996. Today all mainstream political parties in New Zealand court the Māori vote and many Māori now use the electoral system to further their goal of self-determination and control over their political, economic, social and cultural resources and development. The franchise has become part of the struggle to maintain a sense of nationhood, a strong identity, and a unique language and culture. Towards the end of her contribution Sullivan does qualify the importance she places on parliamentary representation for Māori development, but this caveat only serves to highlight the tensions between liberal equality, historical agreements and cultural diversity that Kymlicka has outlined.

The following two contributions may be classified under Kymlicka's second argument regarding the implication of historical agreements. John Morton addresses the significance of government apologies for historical

injustices in the reconciliation between Aborigines and non-Aborigines in Australia, while Toon van Meijl analyses the problematic aftermath of the settlement of a major Māori claim in which the recognition of grievances was combined with the redistribution of resources. In Australia the process of reconciliation, initiated in the late 1980s, has stalled on all fronts. Over the past few years, the country's Prime Minister, John Howard, has refused to apologise for past injustices, while he has ruled out a treaty with Aborigines and Torres Strait Islanders and also any material reparation for their multiply disadvantaged position in Australian society (cf. McIntosh 2000). As against the "postmodern" view that reconciliation is simply a "ritual" denying the possibility of a structural transformation of relations between Aborigines and non-Aborigines, Morton restores the power of apologies. He argues that the efficacy of reconciliation is often undermined by being embedded in a discourse that positions Aborigines and non-Aborigines in a binary logic of indigenous resistance against postcolonial hegemony. Morton shows convincingly that this discourse does not recognise the potential of negotiations across a "racial divide" that allows for empathy as well as antagonism. An apology for colonial injustices to the Aborigines therefore cannot simply be dismissed as an extension of liberal power over Aboriginal people. Instead, it must be viewed as an inevitable part of the process of coming to terms with the history of dispossession and the resulting process of an involuntary federation of two different peoples.

While in Australian politics "symbolic" and "practical" reconciliation remain, at least for the time being, rather distinct, in New Zealand recognition of Māori grievances involves a combination of apologies and redistribution in most compensation settlements that have been signed between the Government and Māori tribal groups over the past decade. Toon van Meijl analyses one such settlement, that of the Tainui Māori, in some detail. This deal included a formal apology from the Crown, acknowledging it acted unjustly in dealing with the Tainui Māori in the 1860s, and it provided for the return of three percent of the lands originally confiscated as well as a significant cash settlement. In 1995 the British Monarch even travelled to New Zealand to sign the act passing into law the agreement signed between the Tainui leadership and the New Zealand Government. Within four years, however, the Tainui had lost a large amount of their assets while newspapers reported almost daily on court cases between different Tainui factions, notably a group of administrators and accountants versus representatives of the tribal leadership that has been housed in the Māori King Movement since 1858. Van Meijl examines what went wrong after the signing of the settlement and the structural causes of the political conflict within the Tainui confederation. He shows that any resolution of historical grievances

is controversial and may even create new problems. The socio-political organisation of Māori society has changed radically since the 19th century, as currently 80 percent of the Māori population is residing in urban environments and missing out on the compensation settlements that the Government only negotiates with tribal organisations. In addition, it is also unclear within contemporary tribal organisations who the rightful heirs of the traditional owners are, since this question is preceded by a more fundamental question about the nature of property rights in the 19th century that cannot be resolved unambiguously. Needless to say, the practical implications of these historical ambivalences are colossal.

The final two contributions to this issue address the argument for the importance of cultural diversity in New Zealand contexts. Michael Goldsmith analyses the use of the concept of culture in a variety of discourses, while Senka Božić-Vrbančić addresses the problematic representation of the descendants of Croatian migrants in the displacement of multiculturalism by biculturalism. As mentioned above, Māori people argue that any discourse of multiculturalism will enable the Government to neutralise their claims for justice under the Treaty of Waitangi in which Māori rights are embedded (Walker 1995). They consider this unjust against the background of the colonial history of New Zealand. Māori have rejected multiculturalism so strongly that the state has officially adopted a policy of biculturalism, at least in terms of rhetoric, although it is regarded as a necessary stage preceding a policy of multiculturalism. Against this background Michael Goldsmith examines in particular the forms of what he labels “culturespeak”, following a lead from Ulf Hannerz. Surfacing regularly in the discourse of New Zealand politicians, authors, academics, journalists, judges and laypeople, these forms either constitute or criticise some version of “culture” in order to make identity claims. In either case, the notion of culture at stake is generally taken for granted. These rhetorical uses of culture deserve to be scrutinised in order to make explicit their ideological scope.

The implications of the displacement of multiculturalism by biculturalism in New Zealand are addressed in the contribution by Božić-Vrbančić about the cultural contact between Māori and Croats. In New Zealand the descendants of a group of early migrants from the Mediterranean coast in Middle Europe are described as “Dalmatians”, an archaic term that is today a contested site of identity. In no other country in which migrants from Croatia have settled has the name “Dalmatia” as much significance as it has in New Zealand, particularly in Northland, mainly as a result of a nostalgic construction of intercultural contact between Māori and Croats on the gum fields of the Far North towards the end of the 19th century (Nola 2000). Božić’s point of departure is the marginalisation of immigrant minorities

in New Zealand who cannot be represented under the umbrella “Pākehā”, a term which generally refers to “non-Māori” but which surreptitiously presupposes a homogeneous British culture as the binary opposite to Māori. Her article suggests that the precedence of biculturalism over multiculturalism as commanded by Māori moves peripheral cultural groupings completely off-stage. The argument is based on a moving analysis of an exhibition in New Zealand’s national museum, proudly presented as a celebration of multiculturalism, but, according to Božić, not quite a feast for everyone.

Together the five papers collected in this special issue address the complexity of the righteous demand for justice by minorities, notably the indigenous peoples of Australia and New Zealand, the Aborigines and the Māori, although Božić reminds us that the just focus on the plight of indigenous minorities can never justify the neglect of recognition of other cultural groupings, no matter how minor they may seem. This point merely highlights the important argument that no one solution is available to address the challenges of contemporary liberal-democratic, multicultural, or bicultural, nation-states to reach justice and to offer each and everyone the opportunity to construct a distinct identity at the same time.

Toon van Meijl and Michael Goldsmith